

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

DEVONNA COLLEY, Administratrix of  
the Estate of Eula Lynn Compton,  
deceased,

Plaintiff,

v.

CARDIOVASCULAR ASSOCIATES,  
P.C., THE HEART CENTER, CARY H.  
MEYERS, M.D., LOUIS WARNKEN,  
PA-C, DR. JEFF WEATHERALL,  
HOLSTON ANESTHESIA ASSOCIATES,  
PROFESSIONAL CORPORATION,  
WELLMONT HEALTH SERVICES d/b/a  
HOLSTON VALLEY MEDICAL CENTER,  
Defendants.

NO. 2:07-CV-282

**MEMORANDUM OPINION AND ORDER**

This matter is before the Court on the Motion for Summary Judgment, [Doc. 32] of Defendant Wellmont Health System d/b/a Wellmont Holston Valley Medical Center (“Wellmont”), which was filed on December 1, 2008. The plaintiffs failed to file a response to the motion. The plaintiffs’ failure to respond, in and of itself, may serve as grounds for granting Wellmont’s motion. LR 7.2 of the Local Rules of the United States Court for the Eastern District of Tennessee. In addition, the plaintiffs addressed this issue in the “Joint Motion for Extension of Time to

Respond to Order for Mediation, Alternatively, Motion to be Relieved of Requirement to Mediate this Action,” [Doc. 38], in which it stated that the “plaintiffs do not intend to oppose the Motion.” Therefore, based upon plaintiffs’ statement in the joint motion filed, this Court FINDS that the Defendant Wellmont’s Motion for Summary Judgment is well taken, and accordingly, it is **ORDERED** that defendant’s motion, [Doc. 32], be **GRANTED**. It is further **ORDERED** that the case as to Wellmont is hereby **DISMISSED WITH PREJUDICE**.

ENTER:

s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE